IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:	)	
Steve Trong	)	
	)	
Serial No.: 09/515,809	)	Examiner: Brown, Christopher J.
	)	
Filed: Feb. 29, 2000	)	
	)	Art Unit: 2134
For: METHOD FOR CHECKPOINT-	)	
ING AN RECONSTRUCTING	)	
SEPERATE BUT INTERRE-	)	
LATED DATA	)	

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November 4, 2008

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Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

REPLY BRIEF

In response to the Examiner's Answer dated Sept. 4, 2008, the Applicant submits this Reply Brief.

STATUS OF THE CLAIMS

The status of the claims is:

A. Total Number of Claims Pending in the Application

Claims 15-26 stand pending in the Application.

B. Status of All the Claims

Claim 1-14 claims stand cancelled.

Claims 15-26 stand rejected.

No claims are withdrawn from consideration on appeal.

No claims are objected to.

No claims stand allowed.

C. Claims on Appeal

Claims 15-26 are currently being appealed.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

There are no new grounds for rejection offered by the Examiner in the Examiner's Answer.

Accordingly, the grounds for rejection to be reviewed on appeal still remain:

A. Whether claims 15-17, 19-21 and 23-25 are anticipated under 35 U.S.C. §102(e) by U. S. Patent No. 6,041,054 to Westberg (hereinafter "Westberg"), where the reference fails to teach or suggest at least one element of the claims.

B. Whether claims 18, 22 and 26 are obvious under 35 U.S.C. §103(a) over Westberg in view of U. S. Patent No. 6,061,797 to Jade et al. (hereinafter "Jade"), where the combination of references fails to teach or suggest at least one element of the claims.

ARGUMENT

In responding to the Applicant's arguments contained in the Appeal Brief, the Examiner's Answer cites to new portions of the record, for example, to a portion of the Applicant's specification. This Reply Brief responds to these new citations and addresses other relevant issues.

A. Grouping of Claims

For each ground of rejection that the Applicants contests herein that applies to more than one claim, such additional claims, to the extent separately identified and argued below, do not stand or fall together.

B. Rejection under 35 U.S.C. §102(e) over Westberg

1. Claims 15, 16, 19, 20, 23 and 24

Independent claim 15, representative also of claims 16, 19, 20, 23 and 24, recites (emphasis added):

> 15. A method for storing data relating to a connection through a routing system in a checkpoint server comprising:
> receiving connection information for a connection from a module in a routing system wherein said connection information is information needed by a module to support said connection;
> determining a connection identifier for said connection responsive to receiving said connection information;
> embedding said connection identifier into said connection information; and
> storing said connection information with said connection identifier into a space in said memory.

The Examiner's Answer cites to the Applicant's definition of a module (at page 16, lines 7-8 of the specification) as "any application of any layer that a particular connection may utilize in a particular session." The Examiner's Answer then urges that

"[a]ny application of any receiver would need connection information to maintain the connection. Westberg teaches sending such connection information to the receiving point, and thus meets the limitations...." *See* Examiner's Answer pages 4-5.

Such argument overlooks an aspect of the Applicant's claims. The Applicant claims a "*method for storing ... in a checkpoint server...*" that entails receiving certain connection information **from** a module in "*in a routing system*." The claims make clear that the checkpoint server is receiving the connection information, and the routing system is sending it. However, the Examiner's Answer does not point to any modules in a sending device in Westberg to support the rejection of the claims. Rather, the Examiner's Answer only mentions the possibility of there being some applications in a receiver/receiving point. As such, it is respectfully urged that a proper prima facie showing of anticipation has not been made, as each and every limitation of the claims has not been shown to be taught or suggested by Westberg.

2. Claims 17, 21 and 25

Dependent claim 17, representative also of claims 21 and 25, recites:

17. The method of claim 16 wherein said step of generating said new connection identifier comprises combining a source address and a destination address of said new connection.

The Examiner's Answer cites only to Westberg col. 7, lines 4-6 in relation to claim 17. The cited portion of Westberg reads:

A full header containing the source/destination/connection flow information associated with the session context/ connection ID 850 is inserted, in its entirety, into the payload of the AAL2 minicell and then transferred to the receiving point.

Such description merely relates to how Westberg initially populates his "look-up table" with entries. *See* Westberg, col. 7, line 63 to col. 7, line 1. By initially sending a packet with "[a] full header containing the source/destination/connection flow information" and

5

a "CID data field 304" to the receiving point, the receiving point can create a table entry that maps the CID to the "source/destination/connection flow information."

The cited portion of Westberg does not suggest that "generating said new connection identifier comprises combining a source address and a destination address of said new connection." That is, the cited portion of Westberg does not mention how one should generate a new CID (which the Examiner's Answer likens to the claimed "connection identifier"), much less suggest a CID should be generated by combining a source address and a destination address of a connection.

Westberg describes elsewhere that a CID is generated in a different manner than what is claimed. At col. 7, line 27 Westberg explains that a CID is "8 bits in length." Westberg explains that the bits represent an address of a particular look-up table entry of a look-up table. Specifically, Westberg states "the compression algorithm identifies an unused entry in the look-up table. The compression algorithm then inserts the address of the unused look-up table entry in the CID data field 304 of the corresponding AAL2 minicell." *See* col. 6, lines 67 to col. 7, line 3.

Therefore, rather than generate a new CID by combining a source address and a destination address of a new connection as is claimed, Westberg simply takes the 8-bit address of an unused look-up table entry and uses it as the CID.

Accordingly, for at least the above reasons, rejection of claims 17, 21, 25 should be reversed.

CONCLUSION

The Applicants respectfully submits that the claims are allowable over the art of record. Accordingly, the Applicants requests that the rejection of all claims be reversed.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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